

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:16-CV-24-FL

PATRICK SOLOMON,)
)
Plaintiff,)
)
v.)
)
UNC HEALTHCARE,) ORDER
)
Defendant.)

This matter comes before the court for review of plaintiff's *pro se* complaint pursuant to 28 U.S.C. § 1915(e). United States Magistrate Judge James E. Gates entered a memorandum and recommendation ("M&R"), pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), wherein it is recommended that the court dismiss plaintiff's complaint for lack of subject matter jurisdiction. Plaintiff did not object to the M&R. The magistrate judge determined that plaintiff's complaint must be dismissed due to Eleventh Amendment sovereign immunity of defendant. Upon careful review of the M&R and the record generally, finding no error in this determination, the court ADOPTS the findings and recommendations of the magistrate judge. Accordingly, plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for lack of subject matter jurisdiction. The clerk of court is directed to close the case.

SO ORDERED, this the 14th day of November, 2016.


LOUISE W. FLANAGAN
United States District Court Judge